

**Difference and *Laïcité*: France's Headscarf Debates and the Banning of  
Religious Symbols in French Public Schools**

**By**

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Submitted to the graduate degree program in Anthropology, and to the Graduate  
Faculty of the University of Kansas  
in partial fulfillment of the requirements for the degree of  
Masters of Arts

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[T]he social world is also will and representation, and to exist socially means also to be perceived, and perceived as distinct.

—Pierre Bourdieu, *Language and Symbolic Power*

Minorities are the major site for displacing the anxieties of many states about their own minority or marginality (real or imagined) in a world of a few megastates, of unruly economic flows and compromised sovereignties. Minorities, in a word, are metaphors and reminders of the betrayal of the classical nationalist project.

—Arjun Appadurai, *Fear of Small Numbers*

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## **Acknowledgements**

First of all, I would like to thank my parents, Larry and Karen Meiers, as well as the rest of my family for listening to me ramble on about anthropology for the past few years and for providing support and encouragement when I most needed it. There were more than a few times when Mom's homemade chicken and noodles saw me through to another day of hectic writing and revision.

Thanks also go to my "academic family" of professors and fellow graduate students at the University of Kansas. Special thanks are due to Dr. Allan Hanson for being such a great advisor and roping me into this whole cultural anthropology thing in the first place. I only hope that, when the time comes, I can foster the same level of critical thinking and provide the same encouragement for my own students as you have for me.

I would also like to express my gratitude to Profs. Bartholomew Dean and Majid Hannoum for provided much needed guidance, honesty and support at crucial moments. Last but not least, I would like to thank the Kansas African Studies Center for giving me the opportunity to study in Morocco for the summer and "be there" rather than just reading about it all in books. It was the best experience of my life, both academically and personally, and I will be forever grateful.

## **Chapter 1: Introduction**

“They treated me like a monster. But I’m not a monster!” These are the words of Cennet, a fifteen-year-old girl of Turkish origin and a high school student in Strasbourg. Cennet, who had been wearing the headscarf to school for several years, had shown up at school with her hair tucked up into a cap in September 2004. Earlier that year, France had banned the wearing of religious symbols—including headscarves—in French public schools. After she had refused to remove her cap, Cennet was taken to the principal’s office and then put in a windowless room for the remainder of the day. The next day, Cennet took drastic action in response to this treatment. “I sat down. I did whatever with my hair. I cut it. I shaved it all off with a Gillette high precision razor” (*Le Monde* October 2, 2004).

Some teachers also had drastic reactions to this ban on religious symbols. One teacher, a self-proclaimed atheist of North African origin, resigned her post over the law, citing her opposition to “this coercive aspect consisting of wanting to liberate people despite themselves. What kind of society are we creating?” (ibid.).

By examining this incident we can discover several intriguing things about the issue of headscarves in France. First of all, this all occurred in Strasbourg, which is also the home of the European Parliament. How can such disparate things be occurring in the same place? Second of all, Cennet’s decision to shave her head has some interesting connotations itself. This rather extreme act was done to protest her treatment at school and the law banning headscarves itself. Hair is also seen as a

sexualized attribute of women, and many believe that it must be covered in order to follow proper Muslim comportment (see Mahmood 2005). Cennet herself points out that her act of head-covering was singled out, as other students in the same school commonly wore hats and bandanas without repercussions (*Le Monde* October 2, 2004). Finally, the teacher's comment about the law's coercive aspect points to the past entanglement of unveiling and colonial feminism in North Africa.<sup>1</sup> As we will see, this problematic relation of the French state, feminism, and the veil continued in the headscarf affairs of 1989, 1994 and 2003.

In this investigation I will determine some of the reasons that headscarves are such an ever-present and overriding concern in France. The prolific debate and discussion about headscarves also serves to direct our attention to other aspects of French society at the times of the headscarf affairs, including the challenges of managing its minorities, reconsolidating and reasserting French national identity, and globalization.

### **1989 Headscarf Affair**

In many ways, the Rushdie Affair served as an important prelude to the 1989 headscarf affair. In February of that year, Iran's Ayatollah Khomeini issued a *fatwa* (religious opinion) against Rushdie, declaring him to be an apostate who deserved death and his novel, *The Satanic Verses*, to be blasphemous. This incident consolidated fears of Islam's intolerance, vengefulness, and increasing worldwide success (Bowen 2007:83).

Although girls had been going to schools with headscarves on for years without any problems, the environment had changed in September 1989 when three girls—Samira Saidani, of Tunisian parents, and Leila and Fatima Achaboun of Moroccan parents—came to their middle school in Creil in Islamic dress. For months, images of women in Islamic dress, mostly Iranian women in black *chadors*, were circulated throughout the media, often in association with the growing threat of political Islam (Bowen 2007:83; *L'Express* 30 April 2003). Although the headscarf, or *hijab*, which these three girls were wearing to school, is significantly different in both appearance and meaning from the *chador*, this confusion of images and labels is seen in the fact that any sort of Islamic head-covering is commonly referred to in France as a *chador* (see Altschull 1995, for example).

When Ernest Chénrière, the principal of their school, asked the girls to remove their headscarves, they refused. Consequently the girls were expelled out of a concern to preserve the principle of *laïcité* (*Sud Ouest* 1 February 2004). While I examine this concept in greater depth in Chapter 2, for the moment we can consider *laïcité* to be the religious neutrality of public spaces. After many rounds of negotiations between the school administration, local associations and the girls' parents, Samira, Leila and Fatima agreed to remove their scarves during class and were readmitted to school. However, they began to wear their scarves again at the beginning of October. They were expelled for a second time, and new negotiations began. These negotiations now included national Muslim organizations, and this “headscarf affair” became a national incident (Bowen 2007:84). Eventually King



Hassan II of Morocco asked the two girls of Moroccan origin to remove their scarves; they did and were readmitted to school (*Sud Ouest* 1 February 2004). Tunisia refused to intervene on the issue, and Samira was never readmitted (Bowen 2007:86).

The media immediately jumped on the issue, playing on the perceived connections between headscarves and the wider threats posed by Islamic fundamentalism. While many politicians on the right remained relatively silent, the left was deeply split on the issue of headscarves (Bowen 2007:84). Prime Minister Lionel Jospin and President François Mitterrand tried to avoid taking a stand on either side of the issue (85). A High Council on Integration was created, and the issue was passed on to the Conseil d'Etat for a decision. In November, the Conseil ruled that the girls could wear their headscarves as long as they did not disturb school life (*L'Express* 30 April 2003).

Samira, Fatima and Leila were not the only three girls affected by this affair, as there were similar expulsions elsewhere in France. Some teachers went on strike to protest against allowing scarf-wearing students in class. Although several appeals cases were brought to the Conseil d'Etat over the next few years, the 1989 decision on headscarves was upheld unless the school could prove that the girl in question was often absent, proselytized, or refused to remove her scarf for gym and chemistry classes. There were no further general rulings, as the issue was seen as a problem best handled on a case by case basis (Bowen 2007:87).

### **1994 Headscarf Affair**

Just as in 1989, contemporary events helped to set the stage for a new round of headscarf debates in 1993-4. This time, however, these dangerous events were much closer to home than Iran. In Algeria in the early 1990s there was mounting tension and violence between the military and new Islamic movements. One of these movements, called the Front Islamique du Salut (FIS), had been created in 1989. During the first round of elections in early 1992 the military denied FIS's victory and the elections were cancelled. In response, many FIS supporters became more radicalized, and the Groupe Islamique Armée (GIA) was created (Bowen 2007:89). These events sparked off what is now referred to as the Algerian Civil War (1992-1998). In early August 1994 Charles Pasqua, France's Interior Minister, launched a security crackdown on "bad" neighborhoods in France after a few French citizens were killed in Algiers. Many French Muslim public figures of Algerian origin were arrested (90). Once again, the media intertwined coverage of the forthcoming headscarf affairs with that of the continued fighting in Algeria.

In the 1993-4 school year, new cases of expulsions arose. Those in Nantua and Grenoble were the most heavily covered by the media. In Nantua, four girls of Turkish and Moroccan origins were expelled for refusing to remove their headscarves in gym class, though they were allowed to keep their scarves in class during the rest of the day. Teachers went on strike while the disciplinary hearings were going on because they considered the veil to pose safety concerns in gym and chemistry classes. In addition, they thought that veiling was segregationist and discriminatory against women. This affair was made even worse when the girls' families spoke for

them in public and two self-proclaimed Islamic “authorities” said that Islam required the veiling of women (Bowen 2007:87).

In Grenoble, a girl named Schérazade discovered Islam during the summer before her final year of high school. She had read the Qur’an in French and decided to convert. She also convinced her father to return to practicing Islam. Like the four girls in Nantua, Schérazade was expelled because she refused to take off her scarf in gym class. After she tried to appeal her expulsion and lost, she went on a twenty-one day hunger strike while in an RV in front of her school. This event received worldwide press attention (88).

These two cases renewed arguments about the headscarf, girls and the exercise of personal religious freedom. While Schérazade’s case supported the view that girls who wear headscarves had autonomy, the four girls in Nantua were seen as deprived of it, mainly due to the fact that their parents and religious “authorities” spoke on their behalf. The girls’ seemingly large amount of legal knowledge about the headscarf issue was used as evidence of either manipulation of the girls or of their ability to obey French laws and remain Muslim (88). Ernest Chénier, now a deputy in the National Assembly, warned that *laïcité* had been compromised (88-9).

François Bayrou, the Minister of Education, issued a directive in September 1994 banning ostentatious symbols from schools, including all headscarves. Scarves were seen to “take certain pupils outside the rules for living together in the school.” Many teachers strongly supported this directive (89).

As a result, the number of expulsions due to headscarves went from the low hundreds up to about two thousand. A new ministerial mediator, Hanifa Chérifi, herself of Kabyle origin, was appointed to deal with the headscarf cases. Those who had been against scarves in 1989 felt vindicated. Some compared headscarves to Nazi or Stalinist uniforms, and some teachers even said that they could not have what was happening in Algeria happen in France (91).

Due to the high number of headscarf expulsions in Lyon, a group of girls—led in part by Saïda Kada—started the Union of Lyon Muslim Sisters in 1995 to organize classes for expelled girls outside of school. They enlisted the help of volunteer teachers and raised money to pay for the teachers, transportation for the girls, and enrollment fees for distance learning. Some girls took their former schools to court, where some of them were able to get their expulsions reversed if they could prove that they were only expelled for wearing the scarf (91).

Over the next few years, the number of incidents fell to about 150 per year (92). Chérifi, the state's mediator on headscarf expulsion cases, was generally quite lenient. Rather than automatically supporting one side of the dispute, she would try to convince both sides to find some sort of compromise that was mutually acceptable (89).

#### **2003-4 Headscarf Affair**

The dangers of Islam came under media scrutiny once again in France during the late 1990s when there were several bombing attacks (which led to the creation of antiterrorist initiatives) and an overall fear of ghettoization in the suburbs, or

*banlieues* (Bowen 2007:92). The amalgamation of Islam with terrorism was made worse in 1995, when France instituted Vigipirate anti-terrorist measures that constituted “Arabs” as a national security threat (Silverstein 2004:130). The terrorist attacks on September 11, 2001 further increased the existing fears of Islam, as Samuel Huntington’s ideas on the “clash of civilizations” between Islam and the West (1996) became more and more widespread. Attempts to explain such polarization became intrinsically linked to anxieties about non-white immigrants in Western Europe and the United States (Hanson 2007:20).

In a now familiar pattern, these fears of Islam were once again tied to the issue of the headscarf. In March 2002 a scarf incident in a school in Seine-Saint-Denis, north of Paris, marked a change in tone by Hanifa Chérifi: “[W]e have neglected the intrinsic significance of the voile: to remind women, starting at puberty, that Islamic morality forbids the mixing of the sexes in all public spaces, including the school” (Bowen 2007:93). There were also several minor scarf affairs in late 2002. One girl in Lyon was suspended for wearing a headscarf and was then readmitted. When one of her cousins also began to veil teachers voiced fear of a contagion of scarves (ibid.).

In a separate case during January of the following year, a school superintendent refused disciplinary proceedings to a scarf-wearing student because he did not want her to become a victim. Teachers at the school (in La Martinière) threatened to strike over this refusal, but the superintendent urged them to meet with him and the rector of the Lyon mosque (94). The teachers considered the rector’s involvement to be wholly inappropriate and refused to meet with him. 80% of

teachers went on strike in March (95). According to Hanifa Chérifi, who had been called in to help with the case, originally only three teachers had been against the covered girl's presence; other teachers simply followed their lead. Each of the original three teachers had had a previous bad experience with Islam. Eventually the education minister told the superintendent that he could not meet with the rector. The superintendent then agreed to meet with the teachers and the strike was called off (Bowen 2007:95).

Politicians, the media and the French public became more sensitized to the issue of headscarves partly as a result of these relatively minor scarf affairs, and partly as a result of Interior Minister Nicolas Sarkozy's inflammatory speech at the Salon du Bourget, a large annual gathering of French Muslims, in April 2003. In this speech, Sarkozy spoke of the need for veiled women to remove their headscarves for identity photographs. He also criticized religious associations that skirted the Republic's laws on *laïcité* by registering with the government as cultural associations (*L'Humanité* 22 April 2003).

In such a charged political environment, journalists and politicians only needed to wait for a scarf affair to occur and serve as a focus for these debates. They got one at the Henri-Wallon high school in Aubervilliers, a northeastern suburb of Paris. Alma and Lila Lévy, aged 16 and 18 respectively, came to school in headscarves in September 2003. Their teachers asked them to leave, but the principal wanted the girls to remain at school. The girls' Jewish last name led to many worries about the increasing rate of conversions to Islam, but in reality their father, Laurent

Lévy, was a lawyer for MRAP (Mouvement contre le Racisme et pour l'Amitié entre les Peuples) and a Jewish atheist, while their mother was Kabyle (*Libération* 24 September 2003). The Lévy sisters were expelled in late September when they refused to wear a light scarf (*couvre-chef*) in place of their headscarves (*foulards*). Thirty-four out of thirty-six students in their class voted to strike in support of the Lévy sisters (Bowen 2007:111).

Several politicians began to discuss the possible need for a law banning headscarves and other religious symbols altogether. Sarkozy himself was against such a law because it targeted Muslims. He proposed a policy of “positive discrimination” to reestablish equal opportunity and lessen the resentment that lay behind the wearing of headscarves and the support for political Islam (105). Prime Minister Raffarin was indecisive, and Education Minister Luc Ferry wavered back and forth on the possible need for a law (106), though at first he was in favor of a ban on headscarves in schools (*Libération* 23 April 2003). In a May 2003 unofficial report requested by Prime Minister Raffarin, Francois Baroin recommended a law to defend *laïcité* against the multiculturalism of the Left and “certain immigrant populations.” The National Assembly made its own commission, called the Parliamentary Information Mission on Religious Signs, headed by Jean-Louis Debré (Bowen 2007:106; Debré 2003). Most socialists were in favor of a law, along with Muslim advocates of *laïcité* and secular Muslims (107).

The UOIF (Union of Islamic Organizations of France) and FNMF (National Federation of French Muslims) were both opposed to such a ban, as they thought it

would target Muslims and restrict their religious freedoms (*Libération* 13 December 2003). Tariq Ramadan, a popular yet controversial Muslim intellectual in France, was also opposed to a law on similar grounds, arguing that France needed to focus on the real problems of Muslims and create dialogue between different religious and ethnic communities (*Libération* 7 May 2003).

Prominent figures and representatives from other religious communities in France were also against to the proposed law banning headscarves in public schools. This included Mgr Olivier de Berranger, bishop of Saint-Denis, and Cardinal Jean-Marie Lustiger, Archbishop of Paris (*Le Figaro* 13 October 2003; *Agence France Presse* 15 January 2004). The bishops of France also took a strong stance against such a proposed law during their meeting at Lourdes (*Le Figaro* 10 November 2003). The Representative Council of Jewish Institutions of France (CRIF) and the Liberal Jewish Movement of France (MJLF) were also opposed to the law (*Agence France Presse* 11 December 2003).

The proposed law was also heavily criticized by French teachers and many important French intellectuals. Three of the four major teacher's unions were opposed to the law's stigmatization of part of the French population (*Le Monde* 18 December 2003). The SNI-PEGC (National Union of Teacher-Professors of General Education of Collèges (equivalent to junior high schools in the United States), the SNES (National Union of Second Degree Education) and the FEN (Federation of National Education) were also opposed to the law (*L'Humanité* 4 November 2003), as were several prominent parental organizations (L'Unapel, or the Union of Parents of



Private School Students, and the FCPE, or the Federation of Parents of Students Councils: *La Croix* 28 November 2003). While Elisabeth Badinter, a prominent French feminist, was in favor of a law (*La Croix* 25 June 2003), philosopher Paul Ricoeur was opposed to it, even going so far to name this “the *laïcité* of exclusion” (*Le Monde* 11 December 2003).

President Jacques Chirac appointed the Stasi Commission on *laïcité* (named after its leader, Bernard Stasi) in July 2003 (Bowen 2007:112).<sup>2</sup> Although most of the members of this commission did not originally favor a law banning religious symbols, in the end eighteen of them, with one abstention, voted in favor of such a law (*Libération* 13 December 2003). During the commission’s hearings those who testified depicted the situation in French schools as out of hand and argued that something had to be done. Nobody was very sure that a law would help much, though (Bowen 2007:113; *Libération* 19 November 2003).

The commission seemed to assume that there was a link between the veil, Islam, violence against women and the breakdown of order in the schools. The choice of people to hear and the questions asked suggested these linkages. John Bowen, who witnessed these hearings, reports that the members of the commission listened closely to teachers and principals but were suspicious of the Muslims who testified. None of the expelled girls were allowed to speak, and there was no testimony from sociologists who had studied veiling, the *banlieues* or Muslims in France (Bowen 2007:117). Saïda Kada, one of the leaders of the Union of Lyon Muslim Sisters, an organization to help educate girls who had been expelled from

school due to their headscarves, was the only veiled Muslim woman who testified. During her testimony they asked her a lot of questions about the veil, the reasons that Muslims do this or that, and attacked her for encouraging girls to leave school and not adapting to society (118).

The Stasi Commission issued its report on December 11, 2003. Many of its recommendations were too general to be useful. Some of the more concrete suggestions were to forbid hospital patients from refusing to be treated by a doctor of the opposite sex, to make Aïd al-Kebir and Yom Kippur national holidays, and to pass a law banning signs of political and religious affiliation in public schools—specifically large crosses, yarmulkes and headscarves (*Agence France Presse* 11 December 2003; Stasi 2003).

By December public support was behind the law, partly as a result of constant media coverage in the previous months (Bowen 2007:124-6). President Jacques Chirac proposed a law against religious signs in public schools on December 17, 2003 (*Agence France Presse* 17 December 2003). Following this proposal there were three large demonstrations against the law on December 21, January 17 and February 14 (*Libération* 22 December 2003; 19 January 2004; Bowen 2007:129). During the first week of February 2004 the National Assembly debated the law for four days (133). It was clear that most of the deputies had previously agreed to pass some sort of law. Everyone wanted to go on the record in support of *laïcité* and against Islamism (135-6). After both the Assembly and the Senate passed the law without any problems or

significant changes (*Le Temps* 11 February 2004), the Education Ministry issued an administrative order enforcing the ban on May 18, 2004 (Bowen 2007:140).

Through analyzing these debates and discussions of headscarves and the situation of North African migrants and French Muslims, as well as the surrounding context of French *laïcité*, multiculturalism, Europeanization and globalization, we see that the headscarf serves as a useful tool and medium for the maintenance and expression of power and social boundaries (following Lamont 2000) for both the dominated and the dominators in France. These two categories are distinguished by their possession of various types of capital, though economic capital is the most important. On the one hand, the dominated have little power to create their own symbolic production and have difficulty expressing their own point of view in social space (Bourdieu 1991:244). They are reduced to using the symbols and ways of expressing their point of view that are available to them within the system of their domination. The headscarf is just such a loaded, multi-layered symbol of importance to the formerly colonial system of domination that has been expropriated to express North African migrant and French Muslim points of view within the current system of domination itself.<sup>3</sup>

On the other hand, banning the headscarf became a way to direct symbolic and structural violence against France's minorities in order to create and solidify French national identity in an environment of uncertainty. Arjun Appadurai's concept of predatory identities, which require the destruction of other nearby identities, proves useful here. Predatory identities commonly stem from pairs of

identities with histories of mixture, close contact and mutual stereotyping (2006:51). French colonialism in North Africa created such an environment of mutually implicated identities that became further entangled and intertwined with North African immigration to France.

Before I begin the main body of this investigation, I will briefly address the issue of categorization of people and terminology in France. First I will address official categories, followed by socially constructed categories and their respective usages.

The French census categorizes individuals as French by birth, foreigners, or immigrants (Keaton 2006:48, citing INSEE 1999). “French by birth” indicates anyone who was born on French soil, and who has thereby automatically acquired French citizenship. For this purpose, “French soil” refers not only to France itself, but also to its overseas departments and territories (such as Martinique, Guadeloupe, or Reunion: Hifi 1985:13). The ethnic or national origins of the “French by birth” are not investigated, leaving it very difficult or impossible to document the descendants of immigrants (Keaton 2006:48). “Foreigner” (*étranger*) refers to people living in France who are citizens of independent foreign nations (Hifi 1985:15). As for “immigrant,” this term refers to persons who were born off of French soil and who have acquired French citizenship through the process of naturalization (Keaton 2006:48). In other terms, this category of usage of “immigrant” would encompass only the first generation of migrants, since their children and grandchildren would be born in France and thereby be officially considered “French by birth.”

With the exception of “French by birth,” the terms for the social categories of people in France overlap those of the official categories. This is what, in part, leads to such confusion about who belongs to what category and what that category tells us about the person.

The socially constructed category of “of French stock” (*français de souche*) refers to phenotypically white French with ostensibly pure European ancestry. The term “immigrant” collapses together both foreign-born, “original” immigrants and their children and grandchildren. A person is seen as an immigrant by virtue of their foreign origin (which in turn depends on the international position of their country of origin) and it evokes a particular social condition more than a legal status (Hifi 1985:13). As a stigma the term “immigrant” refers to not only foreigners, but foreigners of the lowest social condition (14).

In an effort to be as precise as possible and to avoid these pitfalls and confusions of official and social classification, I will use “North African migrant” to designate the first generation migrant laborers in France. “French Muslims” will be used to denote the second or third generation descendants of these migrants, although it should be noted that not everyone in this category is necessarily a practicing Muslim. It should also be noted that many of France’s Muslims are of West African or Turkish origin. I do not treat either of these groups in this work for several reasons. First of all, although French Muslims from North Africa, Turkey and West Africa may share a common religion, their cultures, histories and identities, including the ways that they practice and think about Islam, are significantly different. Rather

than inadequately addressing all of these communities in France, I have chosen to focus on adequately addressing only one of them.

I would also like to make some brief comments on race and racism in France. Although France has long been considered a truly colorblind society where racism does not exist (Keaton 2006:22), and French themselves do not see their society as racist (Lamont 2000:191), this is not the case. Racism in France is framed along cultural and religious arguments, since race is not based on the same genetic and biological explanations in France as it is in the United States (ibid.). Blacks are not the main focus of racism in France because they have more heterogeneous origins and religious self-identifications and they make up a smaller group than North Africans. In addition, sub-Saharan Africa had a more peaceful decolonization (192-3). As Keaton points out, people of color in France are supposedly discriminated against because they are “immigrants” or foreigners, not because they are “black” (citing De Rudder, Poiret and Vourc’h 2000). “But the fact that a thing is not racially named does not mean it is not racialized” (2006:8). The reluctance to address issues of racial and ethnic discrimination partially stems from the fact that “such classifications are viewed through perceptions shaped during the Vichy regime and still conjure up dreaded memories and images of ethnic labeling in France during the Nazi era” (ibid.). It is also linked to racially, ethnically and religiously based classification systems that were commonly used under colonial rule by other European imperialist states, not just France (see Anderson 2003:166).

Despite this cultural and religious emphasis, phenotypically-based discrimination does occur. Racial profiling of blacks, as well as North Africans and anyone who is phenotypically distinguishable from the white majority, is routine (191). While conducting fieldwork in France, Trica Keaton (herself an African-American woman who speaks French without an accent) experienced this profiling first-hand. She was “selectively made” to show her tickets while on commuter trains, followed in department stores and supermarkets, and made to show her papers even though she was doing nothing suspicious (Keaton 2006:22).

In this thesis, I am most concerned with the 2004 ban on religious symbols, and specifically of headscarves. I also bring in wider issues and information about North African migrants and French Muslims to highlight some of the concepts and issues at hand in these debates. This work is fundamentally based on library research rather than fieldwork. I will not cover information about what Islam or the Qur’an does or does not say about headscarves and women, what veiling really means and whether or not it is oppressive. Furthermore, limits of time and length do not allow me to fully address France’s colonial history in and with North Africa, although this certainly colors the debates about immigration and headscarves in France. In essence, I am much more interested in and concerned with what the headscarf issue can tell us about France and about its place in the world than in what it can tell us about women and Islam.

Chapter 2 investigates the French concept of secularism, or *laïcité*, and traces the challenges of multiculturalism in France. I address the question of why the

headscarf debates and issues of immigration emerged in the late 20<sup>th</sup> century in

Chapter 3, before moving on to my analysis of the headscarf debates and conclusions in Chapter 4.

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<sup>1</sup> Marnia Lazreg (1994) explores this, along with other aspects of colonial feminism in Algeria. Lila Abu-Lughod discusses the involvement of feminism, imperialism and unveiling in her 2002 article as well.

<sup>2</sup> Consisting of Bernard Stasi, Mohammed Arkoun, Jean Baubérot, Hanifa Chérifi, Jacqueline Costa-Lascoux, Régis Debray, Michel Delebarre, Nicole Guedj, Ghislaine Hudson, Gilles Kepel, Marceau Long, Nelly Olin, Henri Peña-Ruiz, Gaye Petek, Maurice Quenet, Rémy Schwartz, Raymond Subie, Alain Touraine, and Patrick Weil (*Le Monde* 12 December 2003).

<sup>3</sup> Malek Alloula (1986), Marnia Lazreg (1994), Meyda Yegenoglu (1998) and Fadwa El-Guindi (1999) all address the symbolic use of unveiling and the veil in colonial endeavors in the Middle East and North Africa.



## Chapter 2: *Laïcité* and Multiculturalism

In order to understand the headscarf debates in France, it is crucial to examine and understand the concept of *laïcité*. First, I will discuss French ideas about *laïcité* and the proposed relationship between religion and the state. After widening this discussion to include the state's attitude towards difference of any kind, I will examine how concerns about the processes of inclusion and exclusion repeat those of the Third Republic (1871-1914). Finally I will examine the French state's view of multiculturalism and how France has used the 2004 ban on religious symbols in the public education system to deal with France's increasingly pluriethnic composition.

In "Does French Islam Have Borders?" John R. Bowen makes a distinction between political and social *laïcité*. While the former forbids the state from imposing a particular religion (or allowing any religion to be imposed) and is concerned with the separation of politics and religion, social *laïcité* pertains to the privatization of religious affiliation, and the religious neutrality of the public sphere (2004:46). Throughout this chapter, I will focus primarily on social *laïcité*.

Although in France it is often seen as an absolute principle to be supported, upheld or redefined, *laïcité* is actually a socially and culturally constructed concept (Amselle 2003:103) that is constantly redefined and reshaped by its cultural environment and its sociological uses. *Laïcité* is interpreted as an absolute principle in France partly because of its strong (perceived) connections to the founding principles of the French Revolution and republican government. In this view, assimilation to French national and cultural identity (or "integration," as it is commonly referred to in

French national discourse) implies accepting a more privatized form of religious belief and practice, as well as generally having a less intense religiosity (Bowen 2004: 45, citing Tribalat 1995).

In the French public imagination, both the level of intrusion of Islamic religious practice into public space and the intensity of this practice are marked and measured by headscarves. Through its very presence the headscarf is a visible representation of Islamic religious belief.<sup>1</sup> It should be noted that the body itself is also a visible representation of belief, and a site for struggles between the French state and individual agents “to ensure the social reproduction of local and national forms of identity and belonging” (Silverstein 2004:123). Like the French Muslim body itself, the headscarf has been semantically transformed by its media representations as a scarf (*foulard*), a wrap or cover (*hijab*), a veil and a *chador*. “With each transformation, the piece of fabric looked more and more sinister, more and more like, in the words of the former French ambassador to UNESCO Gisèle Halimi, ‘the flag of fundamentalism’” (146, quoting *Le Monde* 30 November 1989).

Furthermore, the way that Muslims react in conflicts over the headscarf is seen to mark the intensity of their belief. While those with less intense religious belief (which is a sign of acculturation to French norms and values, and therefore more acceptable) make little or no fuss over the ability to wear headscarves in French public schools, those Muslims who have fought hardest and longest to allow headscarves in the schools have the most (unacceptably) intense religious affiliation.

In effect, intensely expressed religious affiliation is also expressed non-affiliation with French culture and norms.

Following Clifford Geertz's view that small facts speak to larger issues (2005:112), I would like to begin my examination of *laïcité* by looking at two French words: *culte* and *religion*. Vianney Sevaistre, former Chief of the Central Office of Organized Religions, said that "[t]here is no legal definition of *culte*. You know, the word 'religion' (*religion*) has no place in French law. Religion has to do with the relationship of the individual to God. *Le culte* is the outward expression of that relationship" (Bowen 2007:17). This seemingly small distinction between two words points to the larger distinction in France between private and public forms of religious practice and belief. As we will see, this distinction is mainly the result of the French understanding of secularism and the social contract.

As Talal Asad points out, the modern secular state's categorization of sacred and secular removes the truly sacred from public life and lived experience to an abstracted or imagined humanity (2003:143). This process of abstraction is accompanied in France by an increasing privatization and individualization of religious practice. The abstraction and privatization of religious belief and practice stem from the state's efforts to avoid religious strife. "[B]y removing all religious observance from public institutions the private religious divides that exist in society should be overcome" (Freedman 2004:130-1).

In order to understand how individual religious belief, as exemplified in the French term *religion*, could be dangerous to the existence of French society and/or the

French state, we must first examine the conceptions of society and the state themselves more carefully. During and after the French Revolution of 1789, Jean-Jacques Rousseau's ideas of the social contract and civil religion were critical to the formation and conception of France as a Republic.

For nearly two centuries before Rousseau published *Du contrat social* in 1762 Europe had been ravaged by religious wars. One of Rousseau's main aims was to explain why these wars happened, why they had been so intensely violent, and what could be done to prevent the same thing from happening in the future. Rousseau thought that this intolerance and violence ultimately stemmed from the existence of societal and national divisions:

because a God was set at the head of every separate political society, it followed that there must needs be as many Gods as Peoples...Thus, from national divisions came polytheism, and thence developed theological and civil intolerance—the two being naturally the same thing (Rousseau 1947:296).

For Rousseau, the fundamental problem with religion<sup>2</sup> in general (and Christianity in particular) is the disconnection between religion's sacred authority and the secular authority of the state. Since the time of Christ, "the sacred cult has remained, or once more become, independent of the sovereign, and is without any true bond of union with the body of the State" and it is difficult to establish whether people owe their obedience to the ruler or to the priest (299). Autonomous, free-standing, "priestly" religion "result[ed in] a sort of mixed and unsocial law which has no name" (301).

According to Blandine Kriegel, this view of the relationship between church and state differs significantly from the “Anglo-Saxon” model. The latter is founded on the idea of freedom of the individual conscience elaborated by John Locke and Baruch Spinoza. The “Anglo-Saxon” model of the separation of church and state is conceived of in terms of the need to protect the individual’s freedom of conscience *from* political power and its ability to impose a single religion. On the contrary, in France, “these liberties are guaranteed *through* political power, which guarantees a public space that is neutral with respect to religion” (Bowen 2007:14, emphasis added).

From the French point of view, the “Anglo-Saxon” version of secularism and the separation of church and state is rather flimsy. Although it is well supported by important documents, such as the Declaration of Independence and the Constitution, in practice the wall that separates church and state has many doors, according to Emile Poulat (1987:160). This insubstantial separation is evidenced by the fact that the Supreme Court has had to clarify various aspects of the First Amendment many times over the years. The presence of religion and prayer in schools, the mention of God in the Pledge of Allegiance, a lack of standardization between different states’ rules about religion and God, and the printing of “In God We Trust” on American money also support this claim of a weak American commitment to secularism (161).

For many in France, the United States is just such a case of “mixed and unsocial law” resulting from an unseparated and unspecified relationship between religion and the state feared by Rousseau. In order to fight this dangerously

autonomous status of religion, Rousseau prescribes a particular relationship between religion and the state. According to him,

It is of considerable concern to the State whether a citizen professes a religion which leads him to live his duties. But the dogmas of that religion are of no interest to the State or to its members *except as they have a bearing on the morals and duties which the citizen professing it should hold and perform in dealing with others*. That consideration apart, it is open to each to entertain what opinions he pleases, and it is no part of the business of the State to have cognizance of them, since, not being competent in the affairs of the other world, no matter what be the fate of its members in the life to come, it has no sort of concern with such matters, provided the citizen fulfils his duties in this one (305, emphasis added).

In essence, Rousseau argues that, as far as the state is concerned, religion makes no difference as long as the citizen lives up to his or her obligations to the state. To help insure the fulfillment of these duties, Rousseau proposes a civil profession of faith. This should be a “body of social *sentiments* without which no man can be either a good citizen or a faithful subject.” These sentiments should be outlined by the state (305). In order to protect itself, the state can banish those who do not believe in it because they are “lacking in social sense, and...incapable of sincerely loving the laws and justice, or of sacrificing, should the need arise, their lives to their duty” (306). As I mentioned previously, intensely expressed religious affiliation is also seen as expressed non-affiliation with French culture and norms—including the social contract itself. Muslim girls in France who wear the headscarf, as well as North African migrants and French Muslims in general, are accused of just such disbelief in the French state.

Shifting the individual right to belief out of the purview of the state was intended to protect an individual’s autonomy from a sovereign state within the

context of that state (Asad 2003:134). The state must maintain its commitment to universal values by allowing the same rights to all citizens. In return for this protection of universal values and the right to individual sovereignty, the individual has to make certain concessions to the state. This agreement of individuals to limit their sovereignty out of a concern for the greater good of society is expressed in the social contract.

Although other Enlightenment thinkers such as John Locke and Thomas Hobbes came up with rather similar ideas of the social contract, Rousseau has had the biggest influence on current French ideas about society and the state. How does this view of the social contract and the proper relationship between religion and the state explain and cope with conflict? According to French revolutionary ideology, when society fails to change according to the general will the problem lies with hostile opposite wills and not with the shifting, indecisive nature of society itself (Berger 1990:58). Hence it is important for the state to limit the expressions of opposing wills and to foster an environment that encourages social consensus.

Although I have focused on the privatization of religious expressions and beliefs so far, it is important to remember that the individual should give up *any* particularist, or opposing, interests. This includes ethnic or regional practices and beliefs, as well as religious ones.<sup>3</sup> As Arjun Appadurai points out, the existence of particular interests, or “small numbers,” strikes fear into the heart of a universalist state. These interests raise the specters of conspiracy, the cell, the spy, the traitor, the dissident, and the revolutionary (2006:62). In order to be considered a good citizen,

one must share the same culture as other citizens. Potential good citizens originally from other cultures must at least outwardly exhibit this cultural homogeneity and refrain from emphasizing their cultural differences. Even if such differences exist, it is inappropriate for the state to recognize, let alone promote, such differences.

Even asking questions about religious and ethnic differences is seen to be dangerous and improper. Overall the French state is unwilling to collect statistical information about its minorities (whether religious or cultural).<sup>4</sup> Questions about ethnic or religious identity are not even asked, thus insuring that the state's neutrality (and thus the universal equality of rights and social cohesion) is maintained. For example, the census, the labor force, and other surveys only distinguish between French nationals and foreigners (Hargreaves 1995:39). However, this invisibility is a catch-22. Although it protects universal rights, this lack of information also renders it nearly impossible to prove or monitor the violation of these rights along religious or ethnic lines (Hargreaves 2007). It also leaves the door wide open for lying about the existence, size and distribution of the nation's minorities (Favell 1998:160).

This lack of information and uncertainty in regards to France's ethnic and religious compositions leads to other social consequences as well. In response to such ambiguity, people begin to suspect that everyday labels hide dangerous collective identities (Appadurai 1998:229). In France the situation is particularly uncomfortable, because most of the obviously non-European people (who are assumed to be non-French) are migrants (or their descendants) from its former



colonies in North and West Africa, as well as Southeast Asia. Their very presence raises the additional concerns tied to the colonial past.

In extreme cases, these dangerous identities are handled by ethnocide, while in other cases collective identities are dissolved by some form of social death (Appadurai 2006:88). This need not mean physical violence, since social existence “means also to be perceived, and perceived as distinct” (Bourdieu 1991:224). Following this logic, failure or refusal to recognize a community as distinct erases its existence.

In addition to the de facto erasure of differences, the state also emphasizes the singularity and all-encompassing nature of French identity itself. Integration into French society (and acculturation to French identity) is only possible through the achievement of full membership, or citizenship, in that society (Favell 1998:65). Those who are not fully integrated into French society in this way are lumped together as immigrants (*immigrés*) or as foreigners (*étrangers*: 73). Liberty within the social contract effectively depends at a deeper level on accepting society’s norms as one’s own. This acceptance must be demonstrated not only by proving that one has “good morals” and can speak the language of their new country, but also by agreeing to follow the laws of the new country. In France, this includes following the laws (and thereby the principles that underlie them) about *laïcité* (81-2, see also Hargreaves 1995).

This emphasis on cultural homogeneity has been called “cultural fundamentalism” (Stolcke 1995:8) and is based on the assumption that there is a one-

to-one-to-one ratio between nation, society and state. Following Benedict Anderson, a nation is a political community that is imagined as limited and sovereign. These nations are invented where they did not previously exist through the process of nationalism (1983:15). Nationalism took concrete shape through various institutions, such as print capitalism (Chatterjee 1993:4). In fact, all national movements are really coalitions of older communities and cultures that are unified through the selection and accumulation of memories, cosmologies, tales, and genealogies to create a unified historical narrative (Anderson 2003:183). Through the creation, recreation and emphasis of cultural sameness, France is highlighting and reinforcing its national identity and the ideal connection of nation, society and state. This focus on the national ethnos is closely connected to the strong, centralized view of the state in Jacobin tradition. In order to be a true, full member of a society, the individual must be a member of this nation and have a strong commitment to the state.

This “franco-conformity” (Keaton 2006:100) and its acts of inclusion inherently entail the exclusion of some identities. As Mary Douglas points out, society is form surrounded by formlessness (1966: 98). This form is not a primordial given; it must be created and constantly enforced through the processes of inclusion and exclusion. This arbitrary process of boundary creation and enforcement is itself naturalized (Foster 1991:236-7). In this case, those who are perceived as non-(white) French are the targets of exclusionary practices that aim to create and enforce French identity. This creation of French or any other European identity is not about making changes in the legal definitions of rights and obligations, nor is it about creating a

broader, more inclusive supranational definition of Europe. As Talal Asad puts it, “it concerns *exclusions* and the desire that those excluded recognize what is included in the name one has chosen for oneself. The discourse of European identity is a symptom of anxieties about non-Europeans” (Asad 2003: 161). It is just as important for people to define and recognize what they are *not* (i.e., to choose an exclusionary identity) as it is to define and what they *are*.

These anxieties are merely new transformations of old fears regarding social division, identities and inequalities. In the first years of the Third Republic (1871-1914) there were many efforts to return to fundamental republican ideals and national reconsolidation after the devastating defeat in the Franco-Prussian War of 1870 (Bowen 2007:24). Fear of (mainly regional) particularist identities and social discord were part of this emphasis on reconsolidating national identity. This consolidation was conducted primarily through education (although changes in nationality rules were also involved). Jules Ferry, the driving force behind the creation of the French educational system, saw equal education as a way to suppress social discord before it started (Legrand 1961:100). The understanding of French nationhood was reinforced by a kind of internal *mission civilisatrice* conducted by an army of schoolteachers (Brubaker 1992:108).

As one of the main sources for social discord, the role of religion in French society and education needed to be limited and clearly delineated. Unlike in the United States, where religion was kept out of schools out of concern for religious freedom, in France secular education was intended to remove education from the

hands of the Church. Since it rejected the basic principles of the Republic, the Church could not be trusted to educate the young (Beriss 1990:3). Positivism<sup>5</sup> also contributed to this perceived need for secular education. Jules Ferry thought that the positivist concern with moving beyond a theological or metaphysical frame of mind necessitated creating a system of free, obligatory and laic education and carefully limiting the role of parochial schools (118). In many ways, the proposed role of the state and of religion in education mirrored Rousseau's prescriptions for the roles of state and religion. For Ferry,

The Assemblies are *not made to promulgate theological credos of whatever nature. That is not your role*; thus I am opposed to this pretension of not accepting the aim, taken from nature and from the essence from our laic society and the spirit of our French Revolution, which had no other aim than to clearly separate the domain of conscience from that of terrestrial and temporal government" (Robiquet 1893, cited in Legrand 1961:140-1, emphasis added).

Laicization was not merely a top-down change in French society instituted by the elites. Ever since the Revolution, religion had become outmoded and useless to the average rural Frenchman as well. While attendance at Church was obligatory until the French Revolution, the political turmoil and schisms of the 1790s combined with the lack of access to priests or pastors to let the importance of Church attendance fall away. Between then and 1801 (when Napoleon signed an agreement with the Catholic Church that reinstated much of its pre-Revolutionary power in France) many young people grew up without religion as a strong presence in their lives (Weber 1976:341). The Revolution also made priests more economically dependent on their parishioners, which increased tensions between villagers and priests (342). Urban

Frenchmen were also implicated in these changes. Migrant laborers returning from the city brought back the possibility of nonconformity to religious practices (343). In addition, the Church's close affiliations with the upper classes were increasingly noticed and resented in the 19<sup>th</sup> century (360). Drastic changes in the material conditions for religious belief and participation also led to the decreasing importance of religion (370).

This tense transition from primarily religious self-understanding to national identification and community is mirrored in Benedict Anderson's description of the emergence of nationalism and imagined national communities (Anderson 1983:22). Although Anderson is speaking about Europe in general, this shift from religious to national identification was particularly strong in France, as Weber clearly shows. While religious communities were centrally and hierarchically organized, national communities were more boundary-oriented and horizontally organized (ibid.). The religious community became fragmented, pluralistic and territorialized (25). These fragmentary, territorialized communities opened up the space for the formation of new national communities.

In response to these shifts from religious to national communities and identities, the French government passed several educational reforms and instituted a policy of *laïcité*. On March 28, 1882 the Chamber approved a law that established public education as free, obligatory and laic. In addition, the principles of state *laïcité* were firmly established in a 1905 law. Teacher training was also overhauled by the 1882 law (Bowen 2007:25-6).

The teacher's role in society and the nation grew in importance at this time. The republican ideal of equal rights and freedom of conscience allowed everyone to have the opportunity to be teachers, rather than merely a select few clergy members. In fact, teachers often adopted the social roles vacated by priests, just as the school took over some of the institutional responsibilities that had formerly belonged to the Church. Some communities came to rely on teachers and other laymen to take the social role of priests and perform necessary ceremonies (marriages, baptisms, burials: Weber 1976:342). Both priests and teachers were local notables whose positions were based on having esoteric knowledge, both played key roles in communal affairs, both were usually sons of artisans or farmers promoted by schooling, and both represented official culture (especially through using the French language, 362).

Originally, *laïcité* laws were primarily aimed at teachers, not students (Hargreaves 1997:197), despite its interpretation throughout the headscarf debates in France, which have focused almost exclusively on students. The 1989 ruling of Conseil d'Etat, the Bayrou circular in 1994 and the 2004 law were all supposed to reinforce, clarify, and redefine the fundamental principle of *laïcité* that was so important to the French Republic. These laws reinforce the French view that freedoms are obtained through the state, rather than from some outside source (Bowen 2007:15). The view that rights and freedoms are secured in order to protect the individual from the state is more connected with multiculturalism.

Although it is often thought of as a positive concept, multiculturalism is looked down upon in France because it is perceived to reinforce particularist and

divisive identities that threaten the unified French national identity. Fears about multiculturalism and regionalism (which are closely tied together) became prevalent in France during 1980s for many reasons, such as the weakening of republican integration and rise of regionalism that accompanied Mitterrand's policies of decentralization (Amselle 2003:117). Multicultural policies, which are often seen as following the "Anglo-Saxon model," are said to lead to increasing communalism (*communautarisme*) and ghettoization in society (Hargreaves 1997:183) or to tribalism (Beriss 1990:8). The retention of separate ethnic identities is considered to be premodern. In modern society occupation, class and national political identities have replaced fragmentary, regional and ethnic ones emphasized by multiculturalism (Vichniac 1991:41). In a multicultural society, individuals cannot leave cultural and religious identities behind (as they should, according to the social contract) because multiculturalism holds that these identities are assigned rather than chosen. This sort of automatic cultural membership goes against the republican values that the French state holds so dear (Laborde 2001:721). In effect, France recognizes national identity because it is a social fact, and denies cultural difference even though it is a social fact (728).

Several factors have made France's ethnic and religious minorities more visible in the public eye since the 1980s. In the following pages, I will focus on only three of these factors: the *beur* movement, riots in the *banlieues*, and the presence of headscarf-wearing girls in French public schools.

A *beur* is a second or third generation descendant of North African migrants. The word comes from the *verlan* (French slang) word for “Arab.” In the 1980s many *beurs* became involved in anti-racist and anti-discrimination organization, such as SOS-Racisme. Members of this generation have been exposed to two contradictory socializations as children (Noiriel 1996:162). Although this can sometimes lead to feelings of self-hatred and a desperate willingness to adapt to the host country (168), it can also lead *beurs* to declare their hybrid identity, not as an in-between or liminal category but as a stable racial category of identity in and of itself (Silverstein 2005:374). *Beur* religious identities are also different from popular perceptions of intense Islamic religiosity. In 1992, two-thirds of Algerians in France were either not religious at all (30%) or not practicing (38%: Hargreaves 1995:125).

Although cases of urban violence have had more media presence (especially in the international media) in recent years, there have been cases of mass urban violence in French suburbs, or *banlieues*, since the 1980s. These riots nearly always follow the same pattern. An unarmed youth is involved in a minor incident, or is suspected of involvement. Following a pursuit, he is shot by the police; this shooting sparks off the riot (Hargreaves 1995:73). Yvan Gastaut calls this the “Algerian Syndrome” and traces the occurrence of several small incidents that led to large riots. Between 1971 and 1977 at least 70 Algerians killed in such riots, which occurred primarily in southern France (2000:268-88, cited in Lucassen 2005:185). Despite Gastaut’s label, we should remember that these riots are not a North African youth problem (Noiriel 1996:178). They are the result of particular historical, economic



and cultural contexts in France. They also reflect the conflict and cultural reproduction that is happening at more individual levels. After all, the politics of cultural reproduction serve as emotional fuel for more violent politics at the larger levels of community, neighborhood and territory (Appadurai 1990:18).

The cultural reproduction of dress also serves as fuel for larger conflicts. Although they are visually separate and distinct, most of girls who wear headscarves, and who are thought of as the most culturally distant and “other,” speak French most of the time and think of themselves as French. They see themselves as integral, contributing members of French society; only their headscarves, a minor, surface level difference, mark them as distinct. Even this mark of “distinction” may actually be a mark of membership, albeit to a religious or ethnic community rather than a national one (Bowen 2007:72-81; Keaton 2006:147-8).

The increasing visibility and media presence of *beurs*, urban violence in the *banlieues* and headscarves are only three of the many ways that France has become a more ethnically diverse society in the past twenty-five years. The mounting empirical evidence of the presence of many ethnicities, religions and identities in France have come into more and more tension with the French nation’s imagining of itself as a unified, cohesive whole. Why does France continue to refuse a more multicultural, pluralistic self-imagination?

Terence Turner’s insights on multiculturalism may help us solve this paradox. In “Anthropology and Multiculturalism,” Turner distinguishes between two types of multiculturalism. While “[c]ritical multiculturalism seeks to use cultural diversity as

a basis for challenging, revising, and relativizing basic notions and principles common to dominant and minority cultures alike, so as to construct a more vital, open, and democratic common culture”, difference multiculturalism is that of “cultural nationalists and fetishists of difference” (1993:413-4, emphasis removed). Difference multiculturalism reduces culture to “a tag for ethnic identity and license for political and intellectual separatism” (414).

The presence and activism of the *beurs*, the wearing of headscarves, and even urban violence are all evidence of critical multiculturalism that has been wrongfully interpreted as evidence of difference multiculturalism. As such, the state thinks that each of these needs to be monitored, regulated, controlled and discouraged in order to ensure its own security. Although the political activism of the *beurs* is tolerated by the state, headscarves and urban violence have both come under strict governmental regulation, and even repression, in recent years. While headscarves and riots would seem to be evidence of difference multiculturalism at first glance, a closer look reveals that these forms of multicultural activity share the goals of critical multiculturalism, despite the fact that they may use either concretely or symbolically violent means. The Muslim girls who wear headscarves are not fighting for the right to establish and attend Muslim religious schools (as they would if they were focusing on difference multiculturalism). They wish to be part of the existing French public school system while maintaining an important part of their identity. In the 1980s, *beurs* were fighting the racism and discrimination that prevented them from successfully integrating into French society; they did not fight to establish their own

separate subculture. Even riots can be seen as critical multiculturalism, as the rioters fight (at least at the beginning of riots) in protest of their unequal treatment by the French police and legal system. Ultimately, most North African migrants and French Muslims do not want to be separate from France and French national identity. They would like to redefine what France is, and what it means to be French, to fit the more diverse realities of France as it is today. As Farid Laroussi says,

Dealer, imam, soccer player, budding writer encaged in the blues of the banlieues or buffoon on the encrypted television channel, the circus can begin. We have passed from being intruders to being almost invited guests. But what happened to the others? To the majority, who had pushed their studies far, who worked somehow or other, who said: my country is France? Like a photograph where we had to pose for an eternity, they tell us: don't breathe. Doesn't the legitimacy of this hexagonal conscience reside in the candid truth that it was up to us to integrate ourselves? There's the greatly feared word. Latin tells us that to integrate is to make complete. We are therefore half-citizens, the republic's rubbish. Everywhere we represent the repressed feelings of a backwards colonialism...Integration, for us French of North African origin, is the theater of betrayal (*Le Monde* 11 December 2003).

Essentialist definitions (in this case, of "French" and "North African" or "Arab") do not allow for the recognition of multiple ancestral heritages and life experiences (Levi and Dean 2003:16). This perceived threat of difference multiculturalism provoked an even stronger reactive emphasis on French national unity, history and identity since the 1980s. According to Pierre Nora, the blossoming of heritage festivals during the 1980s were partial responses to the threats to common participation and cultural model of patrimony caused by the 1970s economic crises. During this time, the eclipse of the rural and artisanal world of "true France" was traumatic for many (1984-6, cited in Terrio 1998:21).

In its attempts to revitalize and rebuild French national unity and identity, the extreme right sought to make small independent producers, and their preindustrial values, the bases of national and cultural regeneration (22). In addition to its return to “traditional” French values and identity, the Front National and its leader, Jean-Marie Le Pen, transformed the “immigrant problem” into a national issue. Although the Front National has been around since the mid 1970s, it was not until the Front National won control of the city council and the deputy mayorship in Dreux in 1983 that it became a significant political force. The Front National maintains a staunchly anti-immigrant platform and engages in ethnic scapegoating of North Africans (Hargreaves 1995:182-3). As they began to take votes from the central right, the center-right parties themselves began to espouse more anti-immigrant platforms themselves in an attempt to regain these votes (185).

As Appadurai rightly points out, majorities can be mobilized to think that they are in danger of becoming minorities, and to fear that minorities might become the majority (2006:83). On a grander scale, what Stolcke refers to as “cultural fundamentalism” (1995:5) is seen in the way that France is turning inward in the face of global challenges. In this context France is the minority and the United States the majority in the global world.

In the face of these challenges many states turn to violence. After all, violence creates certainty (2006:6). This is connected to Appadurai’s notion of predatory identities. These identities require the extinction of other, neighboring social categories which are defined as threats. Predatory identities usually come from

pairs of identities with histories of close contact, mixture and mutual stereotyping. One of these identities becomes predatory by mobilizing the understanding of itself as a threatened majority (Appadurai 2006:51). This is further complicated by the “imperialist nostalgia” (Rosaldo 1989:68-87, quoted in Levi and Dean 2003:27) that the French hold for their lost colonial empire.

France’s longstanding colonial presence in North Africa, as well as the long history of North African migrants to France, has created such a situation of predatory French identity that must limit the threatening presence of North African and Muslim identities. This tension of French and North African identities became even more complicated with large-scale immigration to France throughout the 20<sup>th</sup> century. This dichotomy of identities was reformed in the process. While the tense pair of identities had been French-North African in the past, it was now reformulated as French-immigrant or French-foreigner. Both immigrants and “foreigners” have played an integral role in the invention of the French nation. The “crisis” resulting from their entry into the nation-state’s sovereign space is essential to the nation-state because identity is only articulated in relation to the differences that it inscribes (Feldman 2005:214). “Indeed, invoking such differences [colonial differences that represent the ‘other’ as inferior and radically different] are, we might say, commonplaces in the politics of discrimination, and hence also in the many contemporary struggles for identity” (Chatterjee 1993:33). There is much anxiety about the relationship between the nation-state and the “foreign” nations that it contains (Levi and Dean 2003:12). This oppositional and coterminous creation of the

French nation and the non-French foreigner becomes clear if we examine the history of the presence and regulation of these “foreigners” in France.

One way of limiting the power and influence of just such a threatening minority was to forbid the wearing of headscarves in French public school systems in 2004. The varying levels of danger associated with headscarves can be seen in the different ways that the ban on religious symbols has been enforced in different schools. This flexibility of interpretation stems from the wording of the law itself:

Dans les écoles, les collèges et les lycées publics, le port de signes ou tenue par lesquels les élèves manifestent ostensiblement une appartenance religieuse est interdit.

In public primary and secondary schools, wearing signs or clothes by which pupils clearly display a religious affiliation is forbidden (Stasi 2003:68, translation from Bowen 2007:136).

The criterion is based on a sort of “semantic transparency of the object” because it forbids immediately recognizable signs of religious affiliation. Determining just what is “immediately recognizable” is subjective (140).

Since the passing of the law, school officials have interpreted and enforced it differently. Some officials take the context of the neighborhood and the school’s student body into account. For example, in Trappes officials decided that a discreet veil was not ostentatious because it blended in with the clothing styles worn by other students. Here, officials focused more on the *effect* of headscarves, as opposed to the objects themselves (141). As Ghislaine Hudson, the principal of a *lycée* (high school) in Melun, said,

We have to decide whether or not a scarf has religious meaning. First we see if the girl wears it every day or just sometimes. If she always wears it and it

might be religious, then I might talk with her; teachers are instructed not do so lest they differ in what they say. I ask the pupil whether the scarf is a religious sign or not. Some say it does have religious meaning and then they have to remove it, but we allow her to substitute a bandana (142).

Schools differed on whether they allowed discreet head covering or not, how they conducted the dialogue process and their interpretations of the intended scope of the law. Schools could pass internal rules to make the directive more specific, or take the school's social context into account (as we saw above). Overall there were no real problems with enforcing the ban during the new school year. Oddly enough, the clearest challenges to the law came not from Muslim girls wearing headscarves, but from young male Sikhs.<sup>6</sup> Throughout France, 47 students were expelled for wearing religious symbols that school year (Bowen 2007:150). 550 cases were resolved through dialogue, and 96 students began alternative learning in order to pursue their education while wearing a headscarf (151).

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<sup>1</sup> At least, it is interpreted as such. In reality veiling or covering is a much more complex phenomenon. For example, some women wear head coverings out of habit or as part of customary cultural practice. In this example, the headscarf would be seen as a marker of ethnic identity, which is almost as harmful to the building and continuation of a French national identity as marking religious affiliation, as we will see.

<sup>2</sup> Rousseau (writing in 1762) did not distinguish between *culte* and *religion* in the same way as Sevaistre did in 2003.

<sup>3</sup> Of course, ethnic, regional and religious practices and beliefs are often inextricably intertwined.

<sup>4</sup> Michele Tribalat's 1995 *Faire France* is the only exception to this statistical blindness. Most social scientists working in the issues of immigration in France cite Tribalat's numbers. On the other hand, statistics presented in popular media (such as newspapers, television, and radio) are typically based on simple estimations.

<sup>5</sup> Positivism is the philosophy first defined by Auguste Comte which contends that human thought progresses through three stages: the theological, the metaphysical and the positivist. The positivist stage of human thought relies on empirical sensations as the basis for knowledge and thought, as opposed to the operation to divine forces (theological) or abstract supernatural processes (the metaphysical).

<sup>6</sup> From 1995-2003, Sikhs had an arrangement with the Interior Ministry that allowed them to wear turbans while having their identity photographs taken. At the beginning of the 2004-5 school year,

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some schools chose to allow Sikh students to wear a “discreet turban,” much in the same way that some schools chose to allow Muslim girls to wear light scarves (*couvre-chefs*). However, some schools enforced internal bans on headcoverings for Sikh students as well. One lycée expelled three Sikh students for wearing turbans to school in fall 2004. This was the “clearest case of infringement” of the ban on religious symbols (Bowen 2007:150).



### **Chapter 3: Timing and the Internal and External Context of the Headscarf**

#### **Debates**

Why did the headscarf become an issue in France in 1989? How can we explain the reoccurrence of “headscarf affairs” in 1994, and again in 2003? We have already established that headscarves are fundamentally connected to issues of immigration, *laïcité* and the increasingly multicultural composition of French society. The occurrence and reoccurrence of “headscarf affairs” is undoubtedly connected to the complexities and ambiguities of these wider issues.

If headscarves and immigration really are connected in France, we should begin looking to the issue of immigration for possible explanations for the timing of headscarf debates. Patrick Weil contends that there is a cycle of immigration crises that stem from the settlement of migrant communities whose presence was thought to be merely temporary. At first, this settlement leads to xenophobia, but then the crisis is stabilized and the cycle begins again. Weil uses similarities between immigration in the 1930s and that of 1975-1990 as an example of two analogous points in this cycle (1991a:82-3).

Although Weil’s explanation highlights a pattern within immigration itself, I believe that there are more issues than that of immigration at work in the occurrence and reoccurrence of the headscarf affairs in 1989, 1994 and 2003. The particular confluence of perceived threats and challenges from within French society, its unique history of immigration, and the perceived external threats or challenges to France provided by globalization, the development of the European Union, and transnational

Islam significantly contributed to the timing of the headscarf affairs in France. A long-standing history of North African immigration to France and French colonial occupation of North Africa, tensions from an increasingly interconnected and globalized world, economic downturns, and shifting identities that controvert easy categorization combine to create the social and cultural context in which the French headscarf debates have arisen. As Lisa Lowe says, immigration is the screen or site on which the nation projects anxieties regarding internal and external threats to the coherence of the national body (1996:18, quoted in Silverstein 2005:366).

I begin this chapter by addressing the French discourses of insertion and integration. Here, I use discourse in Foucault's sense of the term as encompassing both power and knowledge (1978:100), where relations of power are immanent in all relationships (rather than lying outside of them: 94). This is followed by a discussion of republican citizenship in France with special attention given to the role of "foreigners" in the creation and maintenance of the French national community. Next I give a brief overview of the history of North African immigration to France. Then I detail how France dealt with this influx of newcomers throughout the 20<sup>th</sup> century. I describe the living conditions and challenges of life in the suburbs, or *banlieues*, of France. Finally, I address how external organizations and processes of globalization and membership in the European Union have contributed to the creation of anxieties about French national identity.

Until the 1980s France followed a policy of insertion to deal with its migrant population. In essence, the policy of insertion aims to control and regulate the

presence of migrants and their cultural differences. On the other hand, integration aims to lessen, and eventually erase, those differences altogether. Before the 1980s, immigration and republican citizenship were relatively unconnected issues (Favell 1998:46). Insertion, unlike integration, implies that implantation in French society does not happen on an individual basis. The community has representatives who report to the authorities, and who try to keep the group's uniqueness intact. Resources and rights are allocated to migrants through special means, such as positive discrimination or a device that guarantees equality of rights (Weil 1991a:92). Insertion was not a unified policy, but a collection of smaller, more focused practices that avoided the big political questions that would later become so important. Privileged sites for insertion include local self-help associations, cultural groups and representatives of migrants. Overall it was set up to avoid social disturbance (Favell 1998:47).

An important concept came out of this policy of insertion that would be often misunderstood later on: *seuil de tolérance* (threshold of tolerance). This originally referred to an economic limit to the number of migrants that France could reasonably insert into society (48). Since then, it has often been used to mean that France has a cultural limit to the number of "foreigners" that it can absorb. The political victory of the right led integration to become the dominant discourse in public debates, with peculiarly strong focus on immigration (150-1). Integration is associated with the individual absorption of people into French society, one by one, through participation in French social institutions (Weil 1991a:92, citing Kepel 1988:281-2). Furthermore,

“each one accepts being a part of the whole and makes the commitment to respect the integrity of the whole” (ibid., citing Costa-Lascoux 1989:8-12, see also Weil 1991b:245). The political right is responsible for the linkage of immigration, integration and republican citizenship and nation-building. While the state deploys rites and symbols of integration to forge a common sense of identity (Foster 1991:239), integration is an active process that involves the activity of the individual agent (Favell 1998:71). This mirrors Ernest Renan’s view that membership in a nation involves will (Renan 1882). This will is based on the shared experiences of historical knowledge. “The assumption, in the discourse of nationalism, is that we have a common identity, we were the same, we have been the same, and therefore we are and/or we shall be the same” (Hannoum, forthcoming).

Insertion and integration both draw upon the myth of republican citizenship, which is in turn based largely on the myth of the French Republic. Many current imaginings of the French nation refer back to the Third Republic (1871-1914), which in turn referred back to the 1789 Revolution. According to Eric Hobsbawm, the Third Republic helped to solidify the invention of the French nation in three critical ways. First, it developed the secular equivalents of the church and the priesthood in primary education. It also created public ceremonies, including Bastille Day, the most important French national holiday, which dates from 1880. This holiday yearly reasserts the principles and memory of the 1789 French Revolution. Finally, the Third Republic mass produced public monuments. The depiction of Marianne, the personified French Republic, was especially prevalent. Overall, the Third Republic

avoided references to history itself, as this brought back the ghosts of monarchy and church power. Unlike the United States, France did not develop a “cult of Founding Fathers” and preferred to shape its self-imagining around general symbols (1983:271-2).

The myth of republican citizenship crucially depends on this imagined French nation and on the general symbols created and utilized by the Third Republic. This myth of republican citizenship has two basic claims. First, it claims that the uniqueness of France’s political and cultural heritage (republican and based on citizenship) is the determining factor in today’s immigration policy (Favell 1998:44). Secondly it requires immigration as an issue to be framed in terms of a unique French heritage. If we consider that the culturally fundamentalist option of the extreme right and the Front National are on one side, and the acceptance of American or British-style multiculturalism or plurality are on the other side, republican citizenship is the middle ground choice (57-8). Republican citizenship deals fundamentally with distinctions between foreigners, citizens, and immigrants. I will now turn my attention to these three categorizations.

The rules and concepts underlying French citizenship and nationality developed alongside, and partially out of, the clarification and elaboration of the concept of the “foreigner” (*étranger*). From the time of the French Revolution until the 19<sup>th</sup> century it was social classes, not foreigners, who were considered problematic (Noiriel 1996:47). In the late 19<sup>th</sup> century, legal distinctions between French and foreigners were solidified. The 1898 law specifying that foreign families

could not claim compensation from work accidents unless they lived in France was particularly important in this regard (80). During the 1880s and 1890s anthropomorphic data (called *bertillonage*) were included on identity papers in order to identify and regulate foreigners (69). Identity cards that distinguished between whites, non-whites and tourists began to be used in 1915 and continued under the Vichy regime during World War II (61-2). This documentation and certification is an important part of the invention of the nation. The bureaucratization of identities creates those categories, constructs borders and conflicts, and lays the path for the assimilation of heterogeneous elements (Foster 1991:245).

While foreigners remain firmly outside the bounds of the nation-state, immigrants are both inside its bounds and outside of them at the same time. The problematic nature of this category is seen not only in the regulation of citizenship and nationality, but also in the history of immigration itself in France. In the following pages I will address this history, with a particular emphasis on immigration from Algeria (which was the second largest foreign nationality in France in 1990, after the Portuguese: Schor 1996:236).

The migratory currents of Algerian workers to France originated in the seizures of land and property, as well as the population displacements, following the 1871 insurrection<sup>1</sup> against French colonial rule (Gillette and Sayad 1984:39). Although some Kabyles emigrated from Algeria at this time, the numbers remained quite small until World War I (40). This is partly because Algerians were technically French subjects (*sujets*) rather than French citizens at this time (MacMaster 1997:51).

As such, their movements were relatively restricted, and they were only allowed to travel to the metropole with relative freedom in 1914.

Most of these early migrants were Berber men from the mountains of Kabylia. This area had developed a system of seasonal labor under Ottoman rule (Lucassen 2005:174-5). Berbers were also seen as a preternaturally mobile race, which contributed to their being targeted for labor recruitment after World War I (Silverstein 2005:369). Benjamin Stora estimates that there were 4-5,000 Kabyle Berbers in France in 1912. Many of these workers returned to Algeria at the outbreak of World War I (Gillette and Sayad 1984:48). However, many were later recruited back to France to make up for the need for laborers. In September 1916 the French government decreed a requisition of Algerian workers. According to Gillette and Sayad, the aim of this decree was to prevent resistance from French Algerians (*colons*) rather than to force Algerian workers to come to France (49). This number rose drastically during World War I, when there were about 132,000 (not including the 173,000 present in the army: Stora 1992, cited in Lucassen 2005:173). Out of a total of 116,000 workers from 1914-1918, 78,000 Algerians and 54,000 Moroccans and Tunisians were requisitioned. Overall, 240,000 Algerians were mobilized or drafted, and two-thirds of these were soldiers who served mostly in France. This constituted more than one-third of the men from ages 20-40 (Gillette and Sayad 1984:50). According to Laroui, Algeria sent 173,000 soldiers, 25,000 of whom were killed. Tunisia sent 56,000, of whom 12,000 were killed. Moroccan soldiers helped to defend Paris and landed at Bordeaux in 1916 (1977:351-2).

During the late 1910s and 1920s, reconstruction and labor shortages led to even larger numbers of Algerian workers coming to France. These workers were from many parts of Algeria, not just Kabylia (Gillette and Sayad 1984:51). Although many of these workers returned to Algeria as a result of the 1929 Depression, migration was reestablished at its former levels by 1936. This was partly the result of collective recruitments in the villages conducted by Frenchified native officers who pressed the workers into the company's holding camps (*camp d'hébergement*:54, citing Michel 1956:53). Labor recruitments continued throughout the 1940s (57-8).

Most of these early migrants never meant to settle in France. This partly explains their slow integration (175). North Africans were mostly recruited for dangerous and low-wage jobs. They generally preferred industrial to agricultural labor (Mauco 1932:170; MacMaster 1997:67).

As Partha Chatterjee points out,

It is possible to give many instances of how the rule of colonial difference...can be employed in situations that are not, in the strict terms of political history, colonial. These instances come up not only in relations between countries or nations, but even within populations that the modern institutions of power presume to have normalized into a body of citizens endowed with equal and nonarbitrary rights (1993:33).

These migrants were perceived as less civilized and racially inferior. They were often thought to be violent, prone to criminal behaviors. For migrant workers in France, this image is a false one that refers to primitive, oppressive and superstitious "Islamic" practices and Arab racial origins, despite the fact that many migrants are of Amazigh (Berber) origins. This demonization of Muslims as dangerous and benighted mirrors the situation of the Moro of the southern Philippines, who were



characterized in such a way by the Spanish colonialists, the Commonwealth and the independent government of the Philippines (Anderson 2003:170-1).

The economic depression of the 1930s led to increasing xenophobia in France. This “peaceful invasion” of North African migrants led to an anti-immigrant backlash. Migrants were seen to threaten the metropole’s cultural life and the economic future of France (Silverstein 2005:370). Immigration was stopped and some migrants already present in France were forced to return to their home countries. By the end of the 1930s immigration policies seemed incoherent and ineffective. A single, overarching immigration policy was proposed out of a concern for coordination and coherence (Weil 1991a:85).

After the Vichy regime during World War II, an ethnically controlled immigration policy was seen as unethical, although there were de facto preferences of certain white, European nationalities for immigration to France. However, this policy of choosing favored races and cultures of origin was undermined because migrants from these (primarily European) cultures went elsewhere for work. In addition, the process of choosing migrants of particular origins took too long for a developing economy, and Algerians could circulate freely in France in the meantime<sup>2</sup> (Weil 1991a:87-8).

The period from 1945-1974 is often referred to as the Thirty Glorious Years (*Trente Glorieuses*) of immigration in France (Tapinos 1992:421). The 1950s brought a gradual shift from unsettled to settled North African migrants. Wealth inequalities and rising land prices had polarized Kabyle villages, making resettlement

in France more appealing (MacMaster 1997:110-2). These migrants brought their families, and more of them came from the Arab parts of Algeria (Stora 1992:94, cited in Lucassen 2005:178; see also Gillette and Sayad 1984:61-2). According to the 1954 census, there were 212,000 Algerians in France. By 1962, the number had risen to 350,000 (Gillette and Sayad 1984:60).

Under colonialism, the colony was “a domain in which a state can act in particular ways, especially by using coercion to obtain land for metropolitan settlers and labor for their enterprises...racial distinctions serve to channel different peoples into specific economic roles” (Stoler and Cooper 1997:18-9). These relations of economic domination continue; the former colonies provide primary commodities to the former metropole (19). Fanon compares the situation of colonized peoples to enslavement (1963:190). Furthermore, some authoritative intellectuals, such as Robert de Souza and Maréchal Lyautey, thought that the colonies offered the best model for experimentation and planning to be used in the metropole itself (Rabinow 1989:273,289, cited in Silverstein 2004:85).

The Algerian War (1954-1962) complicated the situation of North African migrants in France. During the war the FLN (Front de Libération Nationale), who fought for Algeria’s independence from France, encouraged Algerians in France to maintain an anti-integration stance. The French state responded with repressive retaliation (Lucassen 2005:183). On October 17, 1961 the French police crushed a peaceful demonstration of tens of thousands of people marching in protest of a curfew on Algerian Muslims in France. In some places they beat and arrested protesters,

while at the Neuilly Bridge they opened fire on the demonstrators (Cole 2003:24), killing as many as 200 Algerians in the process (MacMaster 1997: 200).

The steepest rise in immigration began after the Algerian War and continued until 1973, when immigration to France was stopped by the Algerian government due to violence against Algerians in France (Lucassen 2005:179). After the war ended 80,000 collaborators (called *harkis*) left Algeria and moved to live in camps in southern France. In addition to the *harkis*, about a million *pieds noirs* (colonists of European descent in Algeria) left Algeria (180).

In the 1960s and 1970s, France became a more multiethnic and multicultural society (Safran 1985:42). Partially in response to this multiplication of ethnicities France strengthened its immigration controls in the mid 1970s. From that time until the present, immigration would remain a constant issue. In a period of economic downturns and scarce resources, minorities are seen as competition with “native” French (*français de souche*) for jobs (Hargreaves 1995:180-1). During the late 1970s the government became more repressive because of perceived problems with illegal immigration, crime in the *banlieues* (both by and against North African migrants and French Muslims), and racism. This changed in the early 1980s, when the Mitterrand government took a more relaxed stance towards immigration and citizenship (Safran 1985:54).

The “problems” of the *banlieues* begin with their formation and construction itself. As Paul Silverstein points out, colonial worries about enclaves (both rural and urban) that are incompatible with the modern nation-state combined with a desire to

create new forms of sociality for migrant workers in France (2004:82). In the early 20<sup>th</sup> century (and even in some places today), many of the early migrants in France were housed near their places of employment in hostels. However, once the patterns of immigration shifted to more permanent settlement hostels could no longer fulfill migrants' housing needs. The government provided nothing to help out this situation, so migrants themselves set up *bidonvilles*, or shantytowns, on vacant land outside of big cities or in the worst parts of inner cities. According to the 1966 census, there were 119 *bidonvilles* around Paris, housing 46,827 people, mostly of North African descent (Ogden 1979:32, cited in Lucassen 2005:187; see also Silverstein 2004:91). Although several slum clearance programs were launched in the late 1950s and early 1960s, these proved ineffective.

In 1964, the Debré laws led to the building of council housing for France's burgeoning migrant population (Lucassen 187). In the mid 1970s money was allocated to provide public housing for migrant families from a 1% share of the payroll by companies. This money helped to fund the creation of HLMs (Habitation à Loyer Modérée: Rent-controlled Housing), ZUPs (Zones à Urbaniser en Priorité: Priority Urbanization Zones) and ZACs (Zones d'Aménagement Concerté: Combined Planning Zones) in the *banlieues* (Hargreaves 1995:70-1). In time, *banlieu* would become the byword for social exclusion (72), partly due to the media's obsession with the *banlieues* that began in the mid 1990s which characterized them as decaying hotbeds of unemployment, violence and Islamic fundamentalism (Silverstein 2004:107, 109).

The construction of these large housing schemes ended in 1973 (Damon 2001:159). The 1980s were marked by concerns for job placement, preventive measures against breaks in law and order, urban upgrades, and decentralization (160). Paris became more and more anxious about its suburbs, which had an estimated population of 10.6 million. These *banlieues* were said to be shifting from being communist-dominated “red” suburbs into ethnically and racially different “black” enclaves which were a haven for newly-arrived migrants (Miller 1991:49). Beginning in the early 1970s, foreigners were assigned housing in HLM areas governed primarily by communists (Lucassen 2005:188). Whenever one of the few remaining middle class families left the *banlieues*, they were replaced by newly-arrived migrant families (Althabe 1985:15). However, we should not that not all *banlieues* are the same. In fact, different *banlieues* take on different characters according to their inhabitants’ self-defined placement in socioeconomic hierarchies (68).

The early 1990s were marked by efforts to revitalize and renew urban areas inhabited primarily by migrant workers and their families. The 1990 Besson Law established the right to housing, and a 1991 law directed wealthy local authority areas to give money to poorer areas (Damon 2001:160:1). In 1993 a “Marshall Plan” for *banlieues* set forth the five main objectives of employment, preventing delinquency, education, and improving housing and public services. In 1994 advantages were offered to civil servants who were willing to work in sensitive areas (161).

Changes in the structure of local government in 1995 were followed by the development and reorganization of ZUSs (Zones Urbaines Sensibles: Sensitive Urban Zones), including ZRUs (Zones de Redynamisation Urbaine: Urban Revitalization Zones) and ZFUs (Zones Franches Urbaines: Urban Free Zones:161-2). In 1996 France began the Urban Relaunch Pact, which was based on positive geographical discrimination, despite the fact that this could be seen to support the recognition of particularities and the consequent dangers of communalism. The new government in 1997 led to a new emphasis on security, law and order. A government report on urban regeneration and development called for actions beyond all existing policies, including a new approach to priority areas and a shifting of urban policy from the local to the regional level (162-3).

Although housing estates and the *banlieues* are often referred to as “ghettos” by the media and in the popular imagination this is a misnomer. No French city has ever experienced the concentration of poverty, social ostracism and racial segregation present in many cities in the United States (Damon 2001:163). In fact, the “ethnic mix” of the housing estates in the *banlieues* was carefully controlled in order to prevent such ghettoization.

The foreigner will be, we think, drowned out by the French population, making him adapt, that is, conform to the majority customs: in any case he will disappear as a cultural stranger. On the other hand, if they [foreigners] are too numerous, without a doubt because the power relations are different, foreigners may interpret French behaviors as impediments or attacks. The choice appears logical: between quotas and ghettos, one clearly chooses quotas (Weil 1991b:254).

This ethnic balance of quotas was difficult to maintain due to the departure of many middle-class French in search of better housing and the unwillingness to measure ethnic statistics after the 1970s (256). Despite their common depiction as ethnic ghettos, the housing projects remain diverse, although their inhabitants still observe boundaries (Bowen 2006:31). Deprived areas are defined statistically and there is no such thing as a typical example (Damon 2001:164).

The *banlieues* are actually very diverse, lively and dynamic places inhabited by inventive and resourceful people, despite their bad public image (166). However, there are problems with physical safety and they are sometimes spaces where identity and belonging are fervently defended. While urban renewal has made some progress, it has not fixed all of the problems (167).

Recent efforts at urban renewal call for more resident participation. There are some fears that policies of positive discrimination have merely confirmed the dynamics of inequality that they were intended to hold in check (169). In order to have positive discrimination, the government must first define a particular area as having negative characteristics. This risks further “ghettoization” and leaves some locals unable to participate. This can radicalize opposition and create tensions (170).

For North African migrants and French Muslims, this contentious history of immigration and geographical segregation has been compounded by other forms of exclusion. Before the mid 1970s migrants held badly paid, low-skill jobs (Hargreaves 1995:40). Migrants have served as a reserve labor army, especially since the increases in unemployment since the late 1980s (42-3). Migrant workers have been

segmented into the service sector the economy (49). Increasing numbers of North African migrants and French Muslims are part of the secondary labor market, making them more vulnerable to job insecurity (50). Migrants and French Muslims who are searching for jobs face problems of the lack of qualifications, language barriers, and discrimination (especially against Africans: 56). This is evidenced in the large gap between unemployment rates among Europeans and non-Europeans (61). In 1992 the unemployment rate for young men of Algerian origin was twice that for young men of Spanish or Portuguese origin in France (Tribalat 1995, cited in Lucassen 2005:191).

Problems of unemployment are related to those of educational inequalities faced by North African migrants and French Muslims. Positive discrimination has been used in education (through the creation of ZEPs [Zones d'Éducation prioritaires: Priority Education Zones] and REPs [Réseaux Prioritaires: Priority Networks]) to identify these inequalities and aim extra assistance at these areas (Keaton 2006:129). Educational success is largely predicted by the parents' educational and professional status. For students of North African origin, this record is especially bad. These students tend to leave school earlier, and they lack important qualifications. However, ethnic differences become insignificant if we control for economic difference (Hargreaves 1995:64).

Poor living conditions are also an important factor in the lives of migrant workers and French Muslims. Many of these housing estates have not been repaired or adequately maintained since they were built in the 1960s and 1970s. These



housing units were also built according to the norm of nuclear families. Many people who live in these estates are parts of large extended families who are trying to “make do” with cramped living quarters. There are ethnic concentrations caused by housing discrimination and chain migration (where one migrant brings members from his family or home community to the same area in the host country), and native French (*français de souche*, or white French) have largely abandoned these neighborhoods to migrant workers and French Muslims (Hargreaves 1995:69). Efforts at urban renewal have largely failed because they do not work with communities to identify what they need or want (Keaton 2006:82-3).

Social exclusion is the combined effect of this economic, educational and spatial exclusion and marginalization. As Favell points out, changes in geographic and urban financial structure have led to worse social conditions (1998:189). This social exclusion and marginalization is often spoken of in terms of “ghettoization,” which is seen as the antithesis of good integration into French society (Hargreaves 1995:39).

These various exclusions have had profound effects on North African migrants and French Muslims at the more personal level. Abdelmalek Sayad contends that work gives birth to the immigrant. He exists through work; when there is none he dies or is negated (1991). In the host country, the immigrant loses his or her points of reference and has to contend with a sense of uprootedness, loss of status and symbolic capital, and feelings of anonymity (Noiriel 1996:120, 127). While some respond to this by renouncing or abandoning practices so as not to feel

stigmatized, others withdraw into the community or play with their appearance (Noiriel 1996:128). As we have seen, this fits with the increasingly visible ways that multiethnic communities in France are making their presence known through *beur* activism, urban violence, and the wearing of headscarves.

As Appadurai points out, new kinds of migration create new levels of tension between identities of origin, identities of residence and identities of aspiration for many migrants in the world labor market (2006:37). For marginalized peoples of all kinds globalization is a “source of worry about inclusion, jobs, and deeper marginalization” (35). Despite current media attention, “[t]he coming crisis of the nation-state may lie not in the dark cellularities of terror but in the utopian cellularities of these other new transnational organizational forms” (137). Two of these new organizational forms that are challenging the bounds of the French nation-state are the European Union and the global economy.

In the face of increasing power and importance of the European Union, France is becoming more introspective and nationalist (Favell 1998:172). The negative philosophy that lies underneath national policy becomes most visible when it is used to justify anti-European Union initiatives (244). France is especially opposed to the multiculturalist norms espoused by the European Union (170). In additions, the norms and laws of the European Union grant residence rights to migrants which clash with national laws (165). Despite this tension, the breakdown of the nation-state’s power on immigration and integration is unlikely (250).

France also feels great anxiety and fear about American cultural domination in the form of globalization or neoliberal economic policies. Susan George summarizes neoliberalism as “the idea that the market should be allowed to make major social and political decisions; the idea that the State should voluntarily reduce its role in the economy, or that corporations should be given total freedom, that trade unions should be curbed and citizens given much less rather than more social protection” (1999:online). These policies would understandably conflict with France’s tradition of a strong state presence in many parts of life. Bourdieu holds that neoliberal policies lead to “the destruction of all the collective institutions capable of counteracting the effects of the infernal machine, primarily those of the state” (1998b:online). Neoliberal policies also lead to increasing inequalities, which are seen at the popular level as the product of global capitalism (and the United States) left unchecked (Appadurai 2006:23, Bourdieu 1998b).

In 1983 Benedict Anderson pointed out that the last wave of nationalism was in response to global capitalism (127). Some of the changes in global capitalism since the 1970s include a shift to economic redistribution on a global level, the decline in the manufacturing industry, the growth of the service sector, women working more often, and more casualization of the secondary labor market (Hargreaves 1995:51). Modernization may in fact permanently change the labor market. Unions are weakened as a source of class identity, so there is a need for new solidarities or return to old ethnic solidarities and sources of identity (Safran 1985:58).

If a global cultural system truly is emerging, it is full of ironies and resistances (Appadurai 1990:3). Global culture is not homogenous; it uses instruments of homogeneity that have been absorbed into local economies and then repatriated as the heterogeneous dialogue of national sovereignty, free enterprise and fundamentalism. The state's role here is a delicate balance between self-reliance and fruitful interconnections. This tension exacerbates the internal politics of majoritarianism and homogenization, leading to more debates on heritage (17). These debates on heritage often take on a violent tone.

In speaking of violence, we should remember that it is not just the product of antagonistic identities. Violence is but one of the ways that the illusion of fixed and charged identities are created. Fundamentalism (of whatever kind) provides a way to produce certainty that was previously not required (Appadurai 2006:7). This situation is even more potentially dangerous because of the new slippage between majority and minority identities and powers (10). The elimination of difference is the real goal of new predatory narcissisms, although in reality this is impossible (11).

This concern to eliminate difference and reassert the nation is seen in the new violence that rages against market forces, is anti-American, and fights for the return of the patriot/martyr/sacrifice (12). States can name their own internal dissidents, activists and minorities, since terrorists—the new global enemy—are part of a global network (20). As Pierre Bourdieu points out,

“If it is true that one form of universalism is no more than a nationalism which invokes the universal (human rights, etc.) in order to impose itself, then it becomes less easy to write off all fundamentalist reaction against it as reactionary...terrorist violence, through the irrationalism of the despair which

is almost always at its root, refers back to the inert violence of the powers which invoke reason” (1998a:19-20).

Globalization has produced new global forms of solidarity that exist on the same level as the state (Appadurai 2006:24). This coexistence at the same level helps to explain some the tensions between the national and the global as categories. The complementarity and difference between the cellular and vertebrate systems gives a structural way to examine the crisis of the nation-state in an era of globalization and forces us to see that the forms of global terrorism are only instances of deep and broad transformation in the morphology of global economy and politics (29).

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<sup>1</sup> Worsening economic and living conditions for peasants in French Algeria led two-thirds of the population to take part in this revolt against French rule. The revolt continued for seven months before it collapsed (Laroui 1977:304-5).

<sup>2</sup> From 1947 until its independence in 1962, Algerians were allowed to move freely back and forth between metropolitan France and the colony (Gillette and Sayad 1984:?). Thus, what is typically referred to as “Algerian immigration to France” is technically more akin to internal migration within France itself. The term “immigration” does apply to both Morocco and Tunisia, however, as these were both officially French protectorates, not French colonies.

## **Chapter 4: Conclusion**

Anthropologists and sociologists have long been concerned with the process of the emergence of large-scale societies that may include many different cultures within them. The recent interest in globalization continues this trend, as globalization can be seen as the emergence of a global society. As different societies around the world become more and more interconnected, the importance of explaining and negotiating differences of many kinds becomes paramount.

For small-scale societies culture (or the common consciousness) is the basis of social solidarity. It both brings people together and distinguishes them from other groups with other cultures. Durkheim describes this as the state of mechanical solidarity (1933, cited in Hanson 2007:4). However, as the division of labor itself became more elaborate after the beginning of agriculture, the basis of social solidarity also changed. People were held together by their differences rather than their similarities. This new kind of solidarity is referred to as organic solidarity (1933:131, cited in Hanson 2007:5).

However, not all kinds of difference are positive and complementary. There may also be either contradictory or compartmental kinds of difference in society. Contradictory difference is a situation where different parts of society compete with each other in an antagonistic manner (Hanson 2007:7). If people feel threatened by extant differences, this often leads to conflicts of various kinds, and thus to contradictory difference (11). On the other hand, compartmental difference refers to a situation where different parts of society act as distinct elements that work in

isolation from each other (7). If differences are seen as irrelevant, or if they are used as tools of exclusion, coexistence in isolation, or compartmental difference, occurs (11). If the differences that shape society are either compartmental or contradictory (rather than complementary), then society “retain[s] the same cultural closure of small, homogenous societies with mechanical solidarity” (8).

According to Durkheim, a complex division of labor does not always lead to social cohesion and organic solidarity. Differences can hold people together successfully only when those differences are perceived to mesh together harmoniously (Hanson 2007:7). Durkheim thought that any sort of detrimental differences would eventually work themselves out (1933:381, cited in Hanson 2007:9). Today, however, few social theorists share such an optimistic view of society and its problems. For example, according to Hanson contradictory and compartmental differences are more likely to develop in large scale societies than complementary ones. In part, this is due to cultural differences, which Hanson refers to as “the trouble with culture” (2007:9). Culture becomes a marker of identity, which in turn is used as a political weapon in struggles between different groups (10). As Appadurai puts it, ethnic identity serves as a flashpoint for uncertainty and insecurity between and within states (2006:103-104).

In this chapter, I will explore Hanson’s distinction between contradictory and compartmental difference. Using Arjun Appadurai’s notions about the use of physical violence to create certainty in an uncertain world and Pierre Bourdieu’s concept of symbolic violence to shed light on the relationship between contradictory

and compartmental difference, I clarify how the headscarf affairs were instances of contradictory difference that arose out of a context of compartmental differences. In turn, the headscarf debates served to define, mark and reinforce the boundaries of different parts of French society in a continuing situation of compartmental difference.

Cultural differences, as well as religious, racial and economic ones, are often used to explain the “problems” or justify the treatment of North African migrants and French Muslims. This, in turn, leads to both contradictory and compartmental differences. From the issues of *beur* demonstrations, urban violence and the headscarf debates that I addressed in chapter 2, the most obvious example of contradictory difference would be the cases of urban violence and riots in the *banlieues*. Here, cultural differences are seen as threatening by both competing parties: the so-called “real French” people feel threatened by the North Africans’ cultural differences, especially by Islam. The inhabitants of the *banlieues* in turn feel threatened by police violence and discrimination, economic stagnation, and religious intolerance.

When we return to Hanson’s distinction, we find that the urban violence and riots can be connected to, or even described as, compartmental difference as well. As I showed in chapter 3, the *banlieues* are nothing if not parts of French society and French cities that have developed and now operate in isolation from each other and from mainstream French society (and French cities) as a whole. The culture of the *banlieues*—including both their perceived North African and Muslim makeup, as well



as the actual makeup of these areas—are used as a tool of social exclusion as well, as I showed in chapter 3.

The headscarf affairs themselves also seem to be examples of both of these kinds of difference at the same time. On the one hand, they constitute a contradictory difference because of the intense conflicts and arguments between Muslims and the French state which these affairs have sparked in 1989, 1993-4, and 2003-4. Mainstream French culture felt threatened by the presence of scarf-wearing girls in one of its most fundamental institutions, while French Muslims felt that their freedom of religious belief and practice was threatened by the intolerance of the French state and culture. However, they also seem to be examples of compartmental difference, as the presence of scarf-wearing girls was partially explained by the Muslim “immigrants”’ refusal to adopt French culture and values, such as *laïcité*. The geographical, cultural and religious isolation, or communalism (*communautarisme*) of the *banlieues* was also used to explain the behavior of scarf-wearing girls in public schools in France.

Given Hanson’s careful and clear distinction between these two kinds of difference, how can they seemingly coexist in the cases of urban violence and the headscarf debates in France? In each of these cases, I think that the existence of compartmental difference provided the context for contradictory difference to arise. In turn, the boundaries and borders of the different parts in compartmental difference are defined, reinforced and marked by instances of contradictory difference (see Feldman 1991 for an in-depth look at this process in Northern Ireland).

Enforcing the boundaries between majorities and minorities would constitute a compartmental difference, as it closes off different parts of society from each other. Minorities blur the boundaries between us and them, here and there, in and out, healthy and unhealthy, loyal and disloyal, needed and unwelcome. They also serve as the linchpin for uncertainties about the national self (Appadurai 2006:44-5).

As a group, migrants and French Muslims often feel uprooted and are seen as dangerous because of their perceived lack of definite allegiances and ties to France and French society. The most culturally “distant” of these migrants and their descendants are thought to be the most dangerous because they are the most difficult to categorize in French society’s terms.

This danger is contained through inclusion into or exclusion from the social order. In terms of migrants in France, inclusion means cultural integration or assimilation. On the other hand, migrants or French Muslims who have not been integrated or recognized as different and unique are systematically excluded from society and are denied equal standing and rights to many of the benefits of French society. The creation of this excluded status, this otherness, also helps to reinforce and mark French national and cultural identity more clearly.

In France debates and speeches about headscarves and immigration serve as public rituals that link the present to both the French Revolution and the Third Republic and solidifies French national identity. These rituals also focus the public’s perceptions on particular issues, such as headscarves, riots in the *banlieues*, or the need to redefine key concepts such as *laïcité*. These particular issues often become

the foci of contradictory difference. Just as public rituals choose particular issues out of an array of possibilities surrounding culturally excluded minorities in France, instances of contradictory difference arise out of contexts of compartmental difference.

Contradictory difference is marked by conflict, and often by violence of one form or another. Anxieties about minorities, national uncertainty and incompleteness lead to attempts to reestablish completeness and certainty through the use of violence. Since national economies have been virtually lost to globalization, this violence (along with the desire for purity, authenticity, and defined borders) is found mainly in the cultural field (Appadurai 2006:22-3). Violence by the insecure state is often perpetrated against minorities, as they are reminders of and metaphors for the betrayal of the nation (Appadurai 2006:43). Violence against minorities is intended to reinforce the nationalist project. Nation-states tend to fight hardest against people and movements who threaten the existence of popular nationalism, the nation-state's internationally accepted claims to sovereignty, and its ability to build coalitions from local communities (Anderson 2003:181).

Although Arjun Appadurai focuses on the power to eliminate minorities through violence, Bourdieu's concept of the power to dominate those minorities through the creation and use of symbols, while still maintaining the existence of these minorities, is even more important. Because it is invisible, and thus hard to identify and to fight against, symbolic violence is even more effective than physical violence

(2001:35). Symbolic violence is another way that contradictory difference and conflict is expressed.

Symbolic violence is the maintenance of domination of one group over another through the use of symbolic systems (Bourdieu 1991:167). The dominant group aims to impose itself on others through creating its own system of symbolic production that places their own capital at the top of the hierarchy (168). The capital itself is merely the objectified form of the symbolic value, which is defined by its location at the top of the hierarchy (238). Struggles over these objects produce euphemized forms of the economic and political struggles between different groups (169).

Thus the struggles and debates over the headscarf in French schools is a euphemized form of larger struggles between different groups of people in French society. Although they are conducted through the medium of symbols, these struggles are ultimately over the power to define, to classify and to legitimize these classifications. The power to classify is the power to “make people see and believe, to get them to know and recognize, to impose the legitimate definition of the divisions of the social world and, thereby, to *make and unmake groups*” (221).

As we have seen, defining and classifying groups of people is fundamentally connected to compartmental difference. In this way, in conflicts that are seemingly waged over contradictory difference the real struggle is often more connected to compartmental difference. In a system of domination, a sense of one’s place implies tacit acceptance of one’s position, a sense of limits, and a sense of distances to be

marked, maintained, respected and expected of others (Bourdieu 1991:235). These limits and distances can be marked and maintained through visible means, such as headscarves. Similarly, the boundaries of different parts in a system of compartmental difference are marked and maintained through instances of contradictory difference.

The headscarf serves as a useful tool and medium to highlight, express, mask or erase differences. While North African migrants and French Muslims call attention to their separate values and cultural identity (or identities) through the headscarf, the French state uses the issue of the scarf to direct attention away from the underlying, less-visible and less-solvable problems of economic and racial inequalities. North African migrants and French Muslims have expropriated the symbol of the headscarf from the colonial system of domination and used it to express a North African migrant and French Muslim point of view within the current system of domination. French society has used the headscarf as both the target and the medium of symbolic and structural violence against France's minorities in order to create and solidify French national identity.

More specifically, the preexistence of compartmental difference in France's Muslim population and the *banlieues* served as the context that created and shaped the contradictory difference expressed by the several cases of urban violence and the headscarf debates. While the ambiguous, widespread and slippery nature of compartmental differences themselves make them more insidious and hard to defeat (as Hanson points out in the case of poverty; 2007:24-5), contradictory difference is

easier define, and thus easier to resolve. This is particularly true when the contradictory difference revolves around a symbol, as was the case with the headscarf debates. This could explain why the furor surrounding the headscarf died down in France after the 2004 law was passed, while problems of urban violence continued.

As Bourdieu states, “to exist socially means also to be perceived, and perceived as distinct” (1991:224). French society must acknowledge that North African migrant workers and French Muslims are distinct communities with unique identities in order for them to have any social role at all, even if it is an antagonistic one. As Levi and Dean point out, the nation-state needs to

strike a delicate balance between, on the one hand, homogenizing discourses that explain away differences—discourses that are explicit in nationalism, integrationist policies, and orthodox social movements—and, on the other hand, an emphasis on heterogeneity, which acknowledges pluralism but in the worst case could be misinterpreted as a postcolonial incarnation of the imperialist’s military strategy of divide and conquer. *Achieving such a balance involves developing policies that preserve the liberty of individuals in ways that do not eradicate the autonomy of groups, social networks, or communities* (2003:12, emphasis added).

If I am right about the interrelationship between contradictory and compartmental differences, it would appear that the only way to truly put a stop to contradictory differences is to focus on fixing the situation of compartmental difference itself. In essence, this could be accomplished through finding a balance between the protection of individual and group rights, as Levi and Dean point out above. Encouraging the opening up of culture would also help to alleviate the problems of both contradictory and compartmental difference, as these detrimental differences lead society to retain the closed culture of mechanical solidarity (Hanson

2007:8). Finding a better balance between individuals and collectivities and cultivating more pluriethnic or multicultural views of society would, in the end, encourage the existence of Durkheim's complementary differences and thus organic solidarity itself.

## **GLOSSARY OF TERMS AND ACRONYMS**

Banlieues—French suburbs. Banlieues often house a high concentration of ethnic minorities, and are stigmatized as poor, violent and dangerous.

Bertillonage—created by Alphonse Bertillon in the late 19<sup>th</sup> century, bertillonage was the method of using bodily measurements in order to identify people.

Beur—French slang (verlan) term for Arab.

Bidonvilles—shantytowns around major French urban centers which housed immigrants and their families. These were destroyed in the late 1960s and early 1970s, when they were replaced by large housing estates in the banlieues.

Chador—large black garment worn by Muslim women, primarily in Iran.

Communautarisme—Although it can be directly translated as communalism, this concept entails a return to particular, segmentary identities. It is also somewhat akin to tribalism.

Couvre-chef—a small headscarf of lightweight fabric. This is often proposed as an alternative to the foulard that is more acceptable to schools.

Culte—organized religion; the outward expression of private religious belief (religion). See chapter 2 for details.

Fatwa—religious opinion issued by an Islamic scholar.

FCPE—Federation of Parents of Students Councils.

FEN—Federation of National Education.

FIS—Front Islamique du Salut (Islamic Salvation Front). A popular Islamic political party in Algeria. After FIS gained success in the first round of parliamentary elections in January 1992, the elections were cancelled and the party was banned in March of that year. These events sparked the Algerian Civil War (1992-98).

FLN—Front de Libération Nationale (National Liberation Front). This organization fought for Algeria's independence from France in the Algerian War (1954-62).



Foulard—literally scarf, this term usually refers to the style of Muslim dress that is commonly called the hijab or headscarf.

FNMF—National Federation of French Muslims.

Français de souche—of French stock. This denotes people who are French not only by birth and by culture, but also by blood.

Front National—The extreme right French nationalist political party headed by Jean Marie Le Pen.

GIA—Groupe Islamique Armée (Armed Islamic Group). This Islamist organization was created after the 1992 cancellation of elections in Algeria after FIS's first electoral victory. This cancellation radicalized many FIS supporters, some of whom then created the GIA.

Harkis—those who collaborated with the French during the Algerian War (1954-62).

Hijab—this refers to the headscarf worn as part of appropriate Muslim dress since the late 1970s.

HLM—Habitation à Loyer Modérée. Rent Controlled Housing.

Jus sanguinis—through the law of blood. This refers to citizenship laws which base the acquisition of citizenship on having parents of a particular nationality.

Jus soli—through the law of territory. This refers to citizenship laws which base the acquisition of citizenship on being born in a particular territory.

Laïcité—the French version of secularism, this refers to the state's neutrality in regards to religious beliefs (religion).

Mission civilisatrice—civilizing mission. Although this term is often used in the context of France's colonial empire and its perceived mission to civilize various native peoples around the world, it may also be used in the context of France's internal consolidation at the end of the 19<sup>th</sup> century.

MRAP—Movement Against Racism and for Friendship among Peoples.

Pieds noirs—literally meaning “black feet,” this term refers to European Algerians (i.e. the descendants of European colonists in Algeria).

Religion—private religious belief. See chapter 2 for details.

Seuil de tolérance—the threshold of tolerance. Although this phrase originally referred to France’s limited economic capacity to take on immigrants, it has come to be used to express France’s limited cultural capacity to integrate immigrants and their descendants.

SNES—National Union of Second Degree Education.

SNI-PEGC—National Union of Teacher-Professors of General Education of Collèges (equivalent to junior high schools in the United States).

L’Unapel—Union of Parents of Private School Students.

UOIF—Union of Islamic Organizations of France.

Verlan—French slang that tends to reverse the order of syllables in words. For example, verlan itself is a reversed slang version of the word “l’envers”—the reverse.

ZAC—Zones d’Aménagement Concerté. Combined Planning Zones.

ZFU—Zones Franches Urbaines. Urban Free Zones.

ZRU—Zones de Redynamisation Urbaine. Urban Revitalization Zones.

ZUP—Zones à Urbaniser en Priorité. Priority Urbanization Zones.

ZUS—Zones Urbaines Sensibles. Sensitive Urban Zones.

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